



# CITY OF NEWPORT BEACH GENERAL PLAN/LCP IMPLEMENTATION COMMITTEE

## ACTION MINUTES

Action Minutes of the General Plan/LCP Implementation Committee held at the City Council Chambers, City of Newport Beach, on **Wednesday, October 29, 2008**

### Members Present:

X	Ed Selich, Mayor, Chairman
X	Leslie Daigle, Mayor Pro Tem
X	Don Webb, Council Member
X	Barry Eaton, Planning Commissioner
X	Robert Hawkins, Planning Commissioner
X	Michael Toerge, Planning Commissioner

### Advisory Group Members Present:

X	Mark Cross
	Larry Frapwell
	William Guidero
X	Ian Harrison
X	Brion Jeannette
	Don Krotee
X	Todd Schooler
	Kevin Weeda
	Dennis Wood

### Staff Representatives:

	Sharon Wood, Assistant City Manager
	David Lepo, Planning Director
	Robin Clauson, City Attorney
X	James Campbell, Senior Planner
X	Gregg Ramirez, Senior Planner
X	Melinda Whelan, Assistant Planner

E = Excused Absence

### Committee Actions

1. **Agenda Item No. 1** – Approval of minutes of October 22, 2008.

**Action:** Committee approved draft minutes.

**Vote:** Consensus

## 2. Agenda Item No. 2 - Zoning Code Re-write

### ▪ Review of Part 4 Standards for Specific Land Uses and Nonconforming Uses and Structures

**Action:** The Committee reviewed comments prepared by Committee members Eaton and Hawkins regarding standards for specific land uses and nonconforming uses and structures of the draft code. The Committee and Advisory Members discussed and directed staff to:

- re-look and possibly revise Section 20.60.020 subsection C.1. and C.2. pg. 4-4 – use uniform number for distance for C.1 and C.2. and check with City Attorney regarding the rationale used for the location restrictions
- revise Section 20.60.080 subsection A.3.a and A.3.b. pg. 4-13 – revise language so requirement is more general so there are not specific distance requirements
- revise Section 20.60.100 E.3.a. pg. 4-19 – change 800 feet to 1,000 feet
- revise Emergency Shelter definition – delete e.g. list
- revise use tables so that Emergency Shelters are only permitted by right within the PI district
- re-look at and clarify Section 20.60.130 subsection C.1. pg. 4-22
- re-look at Section 20.60.130 subsection D. pg. 4-23 and discuss further with Committee on whether residential noise standards should apply to non-residential mixed-use projects
- revise and look into Section 20.60.130 subsection F. pg 4-23 – replace “tenant” with “resident” – need to clarify that notification needs to be archived in some type of public record (e.g. recorded document, CCR's)
- revise Section 20.60.170 subsection B.1. pg. 4-28 – change 100 feet to 300 feet
- re-look at Section 20.60.150 pg. 4-25 and staff will re-organize accordingly
- delete Section 20.60.140 pg. 4-23 (Oil and Gas Facilities)
- re-look at Section 20.50.020 and staff will revise accordingly to address the properties that will become non-conforming due to policy changes in the new Zoning Code
- revise Section 20.50.060 subsection B.3 – limit amount of addition
- Advisory member Brion Jeannette expressed concern with plan check staff interpretation of non-conforming chapter – staff will work with Brion Jeannette to clarify and address concerns

The public provided comments to the Committee and staff regarding:

- concern with buffer/screening between residential and non-residential within a mixed use project – clarification provided by staff that buffer/screening requirement intended between different zones not different uses
- concern that applying residential noise standards to non-residential or mixed use districts will cause problems because commercial uses within mixed use districts can not meet the noise standards for residential uses therefore defeating the mixed use district
- coastal map and Sections 20.38 and 20.40 status – staff will send out e-mail alert prior to these being put on the GP/LCP Committee agenda
- will residents be notified about becoming non-conforming due to policy changes for bluff/canyon setbacks – staff is confident that revised policy will not create the amount of non-conforming properties that was first perceived with the previous policy, staff will provide updates on this matter
- non-conforming chapter needs to provide mechanism for properties that will become non-conforming due to policy changes of the updated Zoning Code – public input will be provided via e-mail to staff consisting of a list of major policy changes that will result in substantial non-conforming properties

**Vote:** Consensus

### **3. Agenda Item No. 3 – Items for future agenda**

**Action:** None

**Vote:** None

### **4. Agenda Item No. 4 – Public Comments on non-agenda items**

None

**Meeting Adjourned 5:45 p.m.**